

Message

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**From:** Hicks, Matt [Hicks.Matthew@epa.gov]  
**Sent:** 3/12/2020 5:09:04 PM  
**To:** Calli, Rosemary [Calli.Rosemary@epa.gov]; Laycock, Kelly [Laycock.Kelly@epa.gov]  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

Yes, will do.

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**From:** Calli, Rosemary <Calli.Rosemary@epa.gov>  
**Sent:** Thursday, March 12, 2020 8:41 AM  
**To:** Laycock, Kelly <Laycock.Kelly@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>  
**Subject:** FW: FL HB 1091 -- the bill I was calling about

Hey, Matt – Can you include Kelly on these emails, please?

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**From:** Hicks, Matt <Hicks.Matthew@epa.gov>  
**Sent:** Wednesday, March 11, 2020 7:48 PM  
**To:** Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Allenbach, Becky <Allenbach.Bekky@epa.gov>  
**Subject:** FW: FL HB 1091 -- the bill I was calling about

See response below from Mike Fisher. He plans to let Susan know once Dave is briefed which I understand John Goodin will take the lead on per Jeaneanne's email to John this afternoon (see attached).

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**From:** Fisher, Mike <Fisher.Mike@epa.gov>  
**Sent:** Wednesday, March 11, 2020 6:01 PM  
**To:** Kupchan, Simma <Kupchan.Simma@epa.gov>  
**Cc:** Hicks, Matt <Hicks.Matthew@epa.gov>; Morgan, James <Morgan.James@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

We'll hold off on letting Susan know until you all brief Dave – just let us know when that's occurred, and then I'll shoot Susan a note. Thanks for the backstory on the state's covert legislative effort, Matt. Glad it succeeded, at least . . .

Michael R. Fisher  
Director, Legal Counsel Division  
Office of Criminal Enforcement, Forensics & Training  
U.S. EPA  
1200 Pennsylvania Ave. N.W.  
WJC South Room 1202D (Mail Code 2232A)  
Washington, D.C. 20004  
202 564 1063 (phone) : 202 501 0579 (fax)

Help EPA fight pollution - report environmental violations at <http://www.epa.gov/tips>

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**From:** Kupchan, Simma <Kupchan.Simma@epa.gov>  
**Sent:** Wednesday, March 11, 2020 5:50 PM  
**To:** Fisher, Mike <Fisher.Mike@epa.gov>  
**Cc:** Hicks, Matt <Hicks.Matthew@epa.gov>; Morgan, James <Morgan.James@epa.gov>; Nagrani, Kavita

<Nagrani.Kavita@epa.gov>

**Subject:** Re: FL HB 1091 -- the bill I was calling about

## **Ex. 5 AC/DP**

# **Ex. 5 Deliberative Process (DP)**

Simma

On Mar 11, 2020, at 5:01 PM, Fisher, Mike <Fisher.Mike@epa.gov> wrote:

Hi Matt

**Ex. 5 AC/DP**

# **Ex. 5 AC/DP**

## **Ex. 5 Deliberative Process (DP)**

Otherwise, we'll stand by to see if folks have further questions or would like to discuss.

Thanks --

Michael R. Fisher  
Director, Legal Counsel Division  
Office of Criminal Enforcement, Forensics & Training  
U.S. EPA  
1200 Pennsylvania Ave. N.W.  
WJC South Room 1202D (Mail Code 2232A)  
Washington, D.C. 20004  
202 564 1063 (phone) : 202 501 0579 (fax)

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**From:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 3:39 PM  
**To:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>; Morgan, James <[Morgan.James@epa.gov](mailto:Morgan.James@epa.gov)>; Fisher, Mike <[Fisher.Mike@epa.gov](mailto:Fisher.Mike@epa.gov)>  
**Cc:** Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

Jeaneanne has asked if you can give your impression of HB 1091 before noon tomorrow. I know she would like OCEFT's impression as well. She's talking with the RA at 1:00.

Thanks,

Matt

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**From:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 2:44 PM  
**To:** Morgan, James <[Morgan.James@epa.gov](mailto:Morgan.James@epa.gov)>; Fisher, Mike <[Fisher.Mike@epa.gov](mailto:Fisher.Mike@epa.gov)>  
**Cc:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

I think we should move quickly, but no deadline. I am totally tied up until tomorrow, but will share thoughts tomorrow morning.

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
WJC North Building # 7426Q  
202-564-3105

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**From:** Morgan, James <[Morgan.James@epa.gov](mailto:Morgan.James@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 2:13 PM  
**To:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>; Fisher, Mike <[Fisher.Mike@epa.gov](mailto:Fisher.Mike@epa.gov)>  
**Cc:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

Is there a time critical element here or do we have some flexibility?

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**From:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 1:53 PM  
**To:** Morgan, James <[Morgan.James@epa.gov](mailto:Morgan.James@epa.gov)>; Fisher, Mike <[Fisher.Mike@epa.gov](mailto:Fisher.Mike@epa.gov)>  
**Cc:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** FW: FL HB 1091 -- the bill I was calling about

JT and Mike,

I'd like your opinion as I begin to look at this. Thanks.

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
WJC North Building # 7426Q

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**From:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 1:49 PM  
**To:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>  
**Cc:** Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** FW: FL HB 1091 -- the bill I was calling about

Simma,

## Ex. 5 AC/DP

Thanks,

Matt

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**From:** Hicks, Matt  
**Sent:** Wednesday, March 11, 2020 1:45 PM  
**To:** Gettle, Jeaneanne <[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>; McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>; Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>  
**Cc:** Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>; Palmer, Leif <[Palmer.Leif@epa.gov](mailto:Palmer.Leif@epa.gov)>; Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

## Ex. 5 AC/DP

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**From:** Gettle, Jeaneanne <[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 1:13 PM  
**To:** McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>; Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>  
**Cc:** Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>; Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

The bill just passed the legislature – now pending Gov signature....it changes some of the criminal provisions

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**From:** Gettle, Jeaneanne  
**Sent:** Wednesday, March 11, 2020 1:10 PM  
**To:** McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>; Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>  
**Cc:** Ghosh, Mita <[ghosh.mita@epa.gov](mailto:ghosh.mita@epa.gov)>; Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>  
**Subject:** FL HB 1091 -- the bill I was calling about